

REMARKS

Currently, Claims 1-5, 17-19, 24-25 and 30 are pending. No additional claims fee is believed due.

REJECTION

Claim Rejection Under 35 U.S.C. §103

The Examiner rejects Claims 1-6, 17-20, 24, 25 and 30 under 35 U.S.C. §103 as being unpatentable over US 5,668,102 to Severns et al. (hereinafter "Severns"). The Examiner states that the reference discloses biodegradable rinse-added fabric softeners with improved perfume longevity. Specifically, the Examiner points to fabric softener compositions of Example 12 which comprise lipophilic esters as well as silicone antifoaming agents. The Examiner also states that rinse-added fabric softeners are commonly added to treat fabric after it has been laundered in a washing machine with a detergent in the presence of water and suitable detergent typically comprise anionic or zwitterionic surfactants. The Examiner alleges that this reference teaches composition comprising all of the ingredients recited by Applicants and these compositions are typically used in cleaning methods which meet the limitations cited by Applicants, therefore, it would have been obvious at the time the invention was made to use such a process claimed by Applicants.

Applicants respectfully traverse.

Applicants point out that a fair reading of Severns would indicate to a person of ordinary skill in the art that Severns' fabric softener compositions are intended for aqueous rinse processes and/or drying processes (see Col. 1, lines 32-47). There is no teaching or suggestion in Severns regarding the use a fabric softener composition in combination with a lipophilic cleaning fluid, such as step (c) of the presently claimed invention.

Further, the Examiner's attempt to equate lipophilic cleaning fluid of the present invention with certain esters and silicones in the fabric softener compositions disclosed by Severns is unsupported. Applicants respectfully point out that a person of ordinary skill in art, based on the teaching of Severns and general knowledge in the art, would not know if such esters or silicone antifoaming agents are lipophilic fluids, as determined by the ability to dissolve sebum (see Lipophilic Cleaning Fluid Test on pages 13-14).

Since obviousness cannot be predicated on the unknown, the Examiner's reliance on compounds of unknown sebum dissolving capability to bridge the gap in the obviousness rejection is unsupported.

Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection.

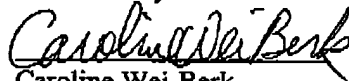
CONCLUSION

Applicants believe that the above represents an earnest effort to place the present application in condition for allowance. Withdrawal of the rejection and issuance of a Notice of Allowance are respectfully requested.

In the event that issues remain prior to allowance of the pending claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

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Customer No. 27752

Respectfully submitted,
For: Radomyselski et al.



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